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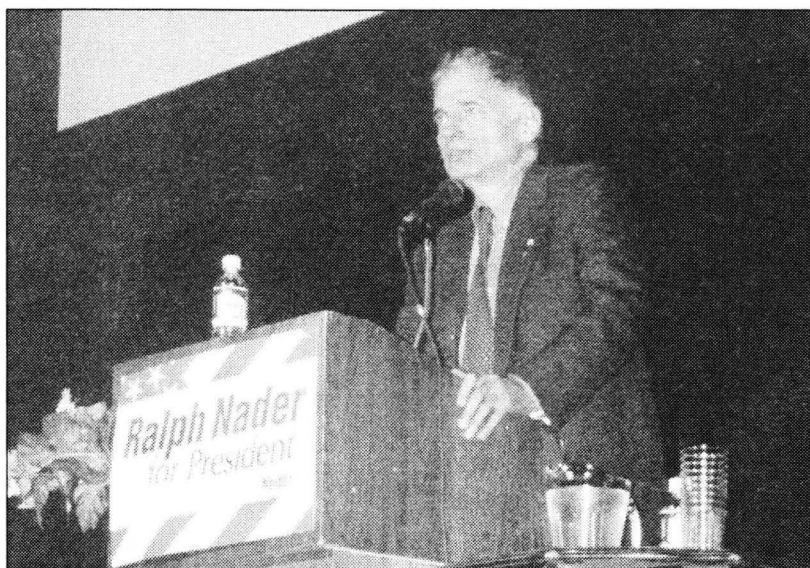


STUDENT NEWSPAPER OF
THE UNIVERSITY OF MICHIGAN
LAW SCHOOL

Bestae

26 September 2000

Vol. 51 No. 2



Ralph Nader Speaks at Michigan Theater

By Hannah Mufson

Ralph Nader spoke at the Michigan Theater Thursday afternoon. The afternoon's speeches were opened by members of the Green Party of Michigan and followed by Phil Donohue and Michael Moore, before Nader took the stage.

Michael Moore then spoke, directly addressing Michigan and its economic woes; in particular, the problems the Clinton administration caused the city of Flint. Referring to his film, *The Big One*, he called the Nike symbol the "shwoostika" and implored the students in the audience not to "end up like your Baby Boomer parents."

With this enthusiastic opener, he

then gave the podium to Nader.

Nader began by emphasizing the environmental woes confronting the United States. "The ozone hole is getting bigger, the polar ice caps are cracking, we're losing thousands of acres of equatorial rain forests every day, there is a dead zone the size of West Virginia in the Gulf of Mexico and almost 100,000 people die of industrial poisoning [every year]. We should be able to grow industrial hemp. At 1/3 of 1%, even Clinton couldn't get high on it."

Nader also focused on attempting to reform the two-party system that dominates the US's political arena. Stating that the last time the United States had more than two parties was

in 1854, when the Republicans were the third party, running on a platform of anti-slavery and voting rights for women, Nader called for a system that represented more people. "The political arena is dominated by two corrupt parties" and they both "flunk" in terms of what they say and what they will actually endorse. "No one's going to believe the Democrats anymore - they voted 98-0 for Scalia!" He did not feel the Republicans were any better, calling Newt Gingrich, among others, "the cruelest critters that ever crawled on Capitol Hill." He targeted Bush, asking, "Why do you deserve to be President of the US when these people [who have also taken drugs] deserve to rot in jail?"

In addition to his other concerns, Nader criticized the criminal justice system, calling it "severely broken, violative of people's rights" and said that it brought "disrepute to the law enforcement officials." He took aim at big corporations, asking for an end to "corporate welfare" and saying, in response to a *Business Week* article decrying corporate greed that, "if *Business Week* magazine is to the left of the Democrats, there's something wrong." He called economic sanctions inefficient and harmful, and proposed eliminating excess military spending and diverting the funds to pay for social programs.

Nader closed appealing to voters to vote from conscience, not fear, and saying, "it's good to have beliefs, but it's good to have them preceded by thought."



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Battle For The Upper House

Spotlight on the Hot Races for United States Senate

By Jonathan Sanchez

Even though races for the United States Senate tend to be overshadowed in a presidential election year, this year, they are just as close as the presidential race and just as important. While Republicans are said to have the edge in holding a narrow majority, it is not beyond the capacity of the Democrats to retake the chamber, which they lost in the 1994 elections. If the Republicans maintain control, it will be the first time that they controlled a fourth consecutive session of Congress since the 69th Congress convened in 1925. While much has been said about the potential impact the next president can have on the U.S. Supreme Court and the rest of the federal judiciary, the Senate will also have a say in its "advise and consent" capacity.

The Republicans currently have a 54-46 edge in the Senate. A loss of four seats will result in a split chamber keeping allowing a Vice President Cheney or a Vice President Lieberman the opportunity to cast more tie breaking votes. A loss of five seats would turn control over to the Democrats. As it stands right now, re roughly six Republican seats and four Democrat seats are vulnerable to the other party. If you want a sense of who will control the U.S. Senate next January, keep your eye on the following 10 races:

Republican Held Seats

Florida

*Bill McCollum (R) v.
Bill Nelson (D)*

This is the only open Senate seat that Republicans have this cycle as popular Sen.

Connie Mack decided against running for a third term. Mack had narrowly won over Buddy McKay in 1988 due to a strong surge by George H.W. Bush in Florida that year and cruised to reelection in 1994 over Hugh Rodham (Hillary's brother) in the Republican tidal wave. This year, the race is once again tight with State Insurance Commissioner Bill Nelson, a moderate Democrat in the mold of the state's senior senator, Bob Graham, running against Congressman Bill McCollum, who has represented the Orlando area in the House since 1981. McCollum gained national attention as one of the 13 House Managers who presented articles of impeachment against President Clinton before the Senate in 1999. As a proven statewide vote-getter, Nelson has led in polls for most of the year but McCollum has narrowed the gap in some polls in the past few days.

Delaware

William Roth (R) v. Tom Carper (D)

Senator William Roth, per-

haps best known for giving the country the IRA that bears his name, is currently chair of the Senate Finance Committee and has served in the Senate since 1971. Attempting to deny him a sixth term is Governor Tom Carper, who is prevented from seeking reelection to his current post. Both men have very high approval ratings in this very small state. Carper has been stressing Roth's age while Roth has been stressing his Senate experience. Carper had led in polls for much of the year, but this race has also narrowed considerably with both men now tied.

Minnesota

*Rod Grams (R) v.
Mark Dayton (D)*

Senator Rod Grams was one of the eleven Republican senators swept into office in 1994 and has proven consistently

conservative in a state that has managed to elect a progressive liberal Democrat (Paul Wellstone) as its senior senator and Jesse Ventura for its governor. Grams' approval ratings have rarely been above 50% and has recently had some private difficulties aired out in public. He now faces Mark Dayton, a former state auditor. Dayton recently won a late Democratic primary and gained attention d by driving senior citizens across the border into Canada to buy prescription medi-

cine that was reportedly too expensive in this country. Grams is emphasizing his \$500 per child tax credit. Expect this to be a close race.

Michigan

*Spencer Abraham (R)
v. Debbie Stabenow (D)*

Of particular interest to those of you who are registered in this state and can participate in this election is the battle between incumbent Republican Senator Spencer Abraham and Democrat Congresswoman Debbie Stabenow, who represents the Lansing area in the House. Abraham, first elected in 1994, though becoming known legislatively as an advocate for greater immigration liberalization had a harder time making himself known here in the state. For months this race had been a dead heat, but in the past few weeks, Abraham has pulled ahead by as much as 12 points, likely due to inundating the airwaves with TV commercials that defined him positively and his opponent negatively. Stabenow, outspent, lacked the funds to answer back as effectively. While Abraham has the edge now, this race still could go down to the wire.

Missouri

John Ashcroft (R) v. Mel Carnahan (D)

Like Delaware, Missouri imposes term limits upon its governors and like Delaware,

the retiring two-term governor, Democrat Mel Carnahan, faces former two-term governor and first term Republican Senator John Ashcroft. Both candidates have been winning statewide elections for at least the past two decades and

one of them will have to lose this year. This race has been marked by negative campaigning on controversial issues like abortion. Ashcroft has had a slight lead, but the race remains very close.

Washington

Slade Gorton (R) v. Maria Cantwell (D)

Republican Slade Gorton was first elected to the Senate in 1980 by defeating an incumbent Democrat. He was defeated for reelection in 1986, but won Washington's other Senate seat in 1988, a seat that he still holds today. His opponent is Maria Cantwell, a "New Democrat" who served briefly in the U.S. House representing the Seattle suburbs until her defeat in 1994. Since then, she has made a fortune in a dot.com company and is now financially armed to do battle with Gorton, a moderate Republican. Not only is there a difference in gender between the two candidates, but also a generational difference as well (Gorton is in his 70's, Cantwell in her 40's). The race has recently been even in the polls and Gorton was held to 43% in the state's recent open primary.

Republicans also have about four other Senate seats they are defending in which they currently have the edge, but where the Democrat candidate has the chance to turn things around. Polls in Pennsylvania have shown the race between Republican Senator Rick Santorum and Democrat Congressman Ron Klink tightening, but Santorum still maintains a large financial advantage over Klink, who has so far run a lackluster race. In Montana, Republican Senator Conrad Burns is facing rancher Brian Schweitzer in a race that could also become more competitive. Rhode Island Senator

Lincoln Chafee, a liberal Republican, currently has the advantage over Democrat Congressman Robert Weyand, a pro-life Democrat. In Vermont, Senator James Jeffords seems to be doing strongly against Democrat Ed Flanagan, currently the state auditor, who would become the first openly gay U.S. Senator if he won.

Democrat Held Seats

Nevada

Ed Bernstein (D) v. John Ensign (R)

In 1998, Congressman John Ensign challenged the Senate's Minority Whip, Harry Reid, and lost by only 400 or so votes. When current Democrat Senator Richard Bryan decided not to seek a third term this year, Ensign jumped in and was immediately declared the front-runner. The Democrats initially put up Attorney General Frankie Sue Del Pappa but after she dropped out, settled on attorney Ed Bernstein, a second-tier recruit. Ensign has led by wide margins throughout the year, but polls show the race tightening somewhat. Still, this remains the seat most likely to switch parties and is Ensign's to lose.

Virginia

Charles Robb (D) v. George Allen (R)

Senator Charles Robb, first elected in 1988, is this year's only vulnerable Democrat incumbent. He won reelection in 1994 by benefiting from a divided Republican party with former Lt. Col. Oliver North as the Republican standard bearer and Marshall Coleman running as an independent alternative. In this cycle, the Republican Party

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Upper House, Continued from page 3

has united behind popular former Governor George Allen, who has led for most of the year in the polls and has the edge in this race. Virginia has been continually trending Republican in recent years with its State Legislature turning Republican for the first time since Reconstruction and a Democrat Congressman deciding to caucus with the Republicans. Robb, the son-in-law of Lyndon Johnson, has begun to fight back and it remains to be seen whether this will be enough to secure a third term.

New York

Hillary Rodham Clinton (D) v. Rick Lazio (R)

What is there to write about a race that most people have been following almost as much as the Presidential race? In any event, the race pitting the first lady versus the Long Island Congressman for the seat of retiring Senator Daniel Patrick Moynihan has remained close for the past few months with both candidates generally stuck somewhere in the 40% range each. They recently had their first debate in Buffalo, New York where moderator Tim Russert, of NBC, asked both candidates some tough questions. The most dramatic moment was probably when Lazio walked over to Clinton and handed her a pledge to forswear soft money in her campaign, a challenge she refused to take. While pundits liked his aggressive style, some thought he was too hard on the First Lady. Current polls show a Clinton lead of about 2-8 points.

New Jersey

Jon Corzine (D) v. Bob Franks (R)

With Senator Frank Lautenberg deciding not to run for a fourth

term in the Senate, all eyes turned to Republican Governor Christine Todd Whitman to run for the seat. She had come close to winning a Senate seat in 1990, when she challenged then-Senator Bill Bradley. She decided not to run for the seat early in the cycle, possibly due to the fact that she might have faced Jon Corzine, the former CEO of Goldman Sachs who did eventually become the Democratic nominee by defeating former Governor Jim Florio in the Democratic primary. Corzine who spent around \$30-40 million to win that race continues to spend more in his quest for the seat. His call has been for "universal" health care, public education, and gun registration and licensing. He is being challenged by Republican Congressman Bob Franks, a four-term Congressman from northern New Jersey. Franks has made an issue of Corzine's spending and proposals and has pulled even with

Corzine, possibly taking a slight lead, in recent polls. Franks has emphasized his political experience over Corzine, who has never held elective office. While Corzine has held the edge, financially and otherwise, this race also seems to be close.

The Republicans have a shot at taking the senate seat of retiring Senator Bob Kerrey of **Nebraska**, but recent polls have shown former Governor Ben Nelson with a lead over Attorney General Don Stenberg, perhaps best known for arguing the state's case in the recent Supreme Court decision *Stenberg v. Carhart*, regarding "partial-birth" abortion. The Republicans also have slim, but outside chances, in **Georgia**, where former Senator Mack Mattingly is challenging incumbent Democrat Zell Miller and in **California**, where Stanford Law Professor and Congressman Tom Campbell is challenging incumbent Democrat Dianne Feinstein.

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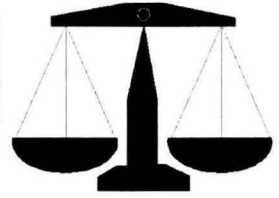
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ABOVE THE LAW

Dennis Westlind, whose column Above The Law normally appears in this space, is on a flyback to the Cayman Islands and will return in two weeks.



Test Your Interviewing Prowess

By **Nancy J. Rafael**, Office of Career Services

By now, you have attended three Career Services lunchtime seminars, completed four mock interviews, and researched all your firms. Do you think you're a skilled, seasoned on-campus interviewer? Take our test and find out! How would you respond to each of the following interview scenarios?

1. You find out your interviewer attended your undergraduate institution's biggest rival. Your interview is scheduled for the week of the big game. He shows up wearing a hideously ugly tie with his school's mascot and colors. Do you:
A. Wish him and his team luck in this week's big game?
B. Propose a friendly wager: an offer for you against fifty bucks for him?
C. Give him/her the finger while shouting "Go Ducks! Huck the Fuskies!" (or some other appropriate slogan)?
Answer: C. You're screwed at this point, so go out in style.

2. The interviewer offers you a limp, moist handshake. Do you:
A. Respond with an equally limp, fishy handshake?
B. Crush his or her hand with your vise-like grip?
C. Give a normal handshake, then take out a pre-moistened towelette and wipe your hands?
Answer: B. You want to litigate. Show your aggressive side. Besides, if you crush the bones in his writing

hand, he won't be able to write nasty comments on your resume.

3. The interviewer asks you why you got a "C+" in Constitutional Law. Do you:
A. Explain that constitutional analysis is not your strong suit?
B. Maintain that the professor's grading process violated your due process rights?
C. Tell him that a "C+" was at the head of the curve in your Con Law class?
Answer: B. At least this shows you remember one catch phrase from Con Law, even if that is the only thing you remembered.

4. The interviewer notices that you worked for the Public Defender's Office your first summer, and the ACLU the second. She wants to know why you're interviewing at a firm now. Do you:
A. Explain to her the concept of the "Student Loan."
B. Tell her you really want to work at a firm with a strong public interest commitment.
C. Admit that you plan on working for a firm for three years, pay off your debt, learn how to litigate, and split for Legal Services as soon as you can.
Answer: C. It's the truth, and at least she'll know they can work you like a dog for those three years. They plan on getting you hooked on the big spender lifestyle anyway, and once you have two kids and a mortgage, who's leaving?

5. The interviewer uses a great deal of profanity. Career services has warned you against swearing in an interview. Do you:

A. Explain to the interviewer that his language offends you?
B. Slip light profanity such as "hell" and "damn" into the conversation?
C. Find a way to respond to a question using the term "hand job?"
Answer: A. This will convince the interviewer that you are a hard-working, fundamentally religious type. They'll love to put you to work defending sexual harassment suits.

6. The interviewer asks you, "What assets will you bring to our firm?" Do you:
A. Respond by emphasizing your "people skills?"
B. Answer that you can "work for 16 hours a day without breaks?"
C. Boast that you can "drink twenty-one cans of beer without barfing?"
Answer: C. Firms hire summer associates less for their legal skills and more for their softball acumen. If you can drink a half-rack and still swing a bat, you're big firm material.

7. The interviewer asks you what your GPA is. You know they are not allowed to ask this in an on-campus interview. Do you:
A. Tell them the question is a violation of Career Services policy?
B. Tell them the sad, pitiful truth?
C. Lie, and tell them you have a 4.13?

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Above The Law, Continued from page 6

Answer: C. Lie like a rug. They're not hiring you to be a minister, they're hiring you to be a lawyer. They'll find out your real GPA later in the day when they get your transcript, but you can at least take this opportunity to show off your legal skills.

8. Ten minutes into the interview, you can tell it is not going well. Do you:

A. Tell the interviewer "I have to go see a man about a horse" and walk out?

B. Ask the interviewer "Is that herpes or just a cold sore?"

C. Shout "Don't you ever touch me like that again!" and run screaming from the cubicle?

Answer: C. You're not getting a job, but you may get a big cash settlement. Dial 1-800-CALL-SAM.

9. The interview is going great, but you realize that this firm doesn't do any labor and employment law,

which is what you are really interesting in doing. Do you:

A. Tell the interviewer that you made a mistake, and that you don't want to waste any more of her time?

B. Ask if they will let you start a new labor and employment practice group?

C. Wait and see if you're offered a flyback?

Answer: C. Whether you want to actually work at a firm is immaterial: It's all about the flyback, staying at a four star hotel, and running up a big booze tab. That's why you should always schedule several interviews with firms in warm-weather locations.

10. The interview went wonderfully, and the interviewer all but offers you a flyback on the spot. As you stand up to shake her hand and leave, you inadvertently but audibly pass gas. Do you:

A. Excuse yourself politely and explain that you had Mexican food

for dinner last night?

B. Turn around and look behind you, as though the offending flatus came from the next carrel?

C. Blame it on the interviewer, exclaiming "Goddamn woman! Did something crawl up your ass and die!?"

Answer: None of the above. Come on, you fart in an interview and you really think you're going to get a job? The correct response is "D. Go home and stick your head in the oven."

Scoring: Give yourself ten points for each correct answer. If you scored 80-100 points, congratulations! You'll make the U of M proud! If you scored 50-70 points, you should consider a public service career. Make an appointment to see Rob Precht immediately. If you scored 40 points or less, consider transferring to Ave Maria.



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Please join us as we host a reception on **Tuesday, September 26, 2000** at 4:30 p.m. in the Law Club. We will also be interviewing second- and third-year students on campus on **Wednesday, October 4**. If you have any questions, please contact:

Susan E. Padley, Esq., Hiring Partner

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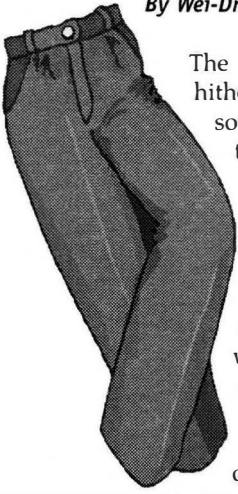
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PANTS-WEARING WOMEN OF ALL COUNTRIES, UNITE!

By Wei-Drin Lee



The history of all hitherto existing society is the history of struggle against accouterments. In the earlier epochs of history, we find almost everywhere a complicated arrangement of flesh into various oppressive garments – the chastity belt, the corset, the bra and now, as we enter the next millennium, the skirt.

For a society to evolve, the battle against garments of limitation must be won in the public forum. In the 60's, we witnessed open bonfires for burning brassieres. Through the comfort years of the 80's and political correctness of the 90's, fashion houses and their designers dictated clothing revolutions according to arbitrary trends, with thimble fingers on the commercial pulse of America. Meanwhile, individually initiated freedoms largely remain unspoken and unseen, at least in the combustible manner of our foremothers.

Interview season summons a magnificent change of color in the leaves, but it commands no such equal phenomenon in the masses of female drones filing into Room 200, most of whom are obediently garbed in the prescribed Interview uniform: dark conservative blazer, skirt of perfect length, nylons of hell, and of course, sexy uncomfortable shoes. As we go to department stores prepared to put a small down payment on our careers, we make our selections carefully – with full intent to "dress for success." And yet, somewhere lingering disturbingly in our subcon-

scious and around our knees is the notion that "success" requires a skirt.

As prospective female lawyers, we will be litigating against powerful corporations, before formidable courts, for civil rights and perhaps even justice from time to time. Is the skirt truly a necessary vehicle for accomplishing these goals? Is it even possible to hide extra court documents under our pleats? While I do not mean to impugn women for choosing to wear skirts, why should it have to be considered revolutionary to do otherwise? There is no inherent premium in wearing the proverbial above-the-knee skirt or in stretching synthetic nylons over innocent calves. The skirts let in drafts; the nylons disintegrate into annoying runs promptly upon first wearing. Despite it all, we welcome these discomforts every time we submit ourselves to the season, practice and custom of the Interview. And we do all of this in the name of Employment.

Last year, as a 2L walking through the process, I purchased a skirt-suit for interviewing as well as roughly two hundred twenty-four pairs of nylons. It was not until the very end of the season that I stopped trying to look perfect, when I realized an employer's quick glance at my shins would reveal nothing enlightening about my capacity as a future lawyer. Not wearing the perfect skirt became a challenge to employers to look beyond my knees.

To a certain degree, all of us feel confined by the limitations imposed by this process. We of Room 200, men and women alike, clutch our leather portfolios fat with resumes and fret over the transcripts lying in wait for employers at the end of the day. Nowhere do we see any sign telling us it is all right to be true to ourselves, to be real and human, to scream out from the claustrophobic

cluster of cubicles, "I, TOO, PUT ON MY PANTS ONE LEG AT A TIME, SO JUST KISS MY ASS!" When the light goes on in Cubicle 3, it signals us to put on the Gloss – on our lips, over our lives, and down to the tips of our professional shoes. We smooth out our resumes, fix our hemlines, hike up the nylons, and go into the fray. Believing we're making ourselves strong, we render ourselves vulnerable when we could have been wearing Pants of Power.

With power come choices. With choices comes freedom. With pants, you can:

- 1) Exploit your full stride.
- 2) Rip off a large piece of fabric to make a tourniquet, saving someone's life and still have enough for yourself.
- 3) Protect your legs from potential mosquito bites.
- 4) Have pockets!
- 5) Execute cartwheels to avoid gunfire just like Keanu Reeves in *The Matrix*.
- 6) Not shave during interview season.
- 7) Tie them to make a flotation device in case of emergency water landing.
- 8) Deliver a graceful flying-crane kick to an assailant's crotch without that horrible ripping sound or flashing more than you want the world to know.

Whether principled or pragmatic, the choice to wear pants asserts freedom. The next time you go into combat, consider changing your uniform. Liberate your legs. Let the ruling entities tremble at a Pants revolution. The wearers have nothing to lose but their nylons. They have a world to win.

Dedicated to the Last Don and Thad McCollum, to whom I say, "Pantsifesto!" Thank you for the degree of encouragement and collaboration to which you are willing to confess.

BOBBY KNIGHT, THE HERO

September 10, 2000, will forever go down as the darkest chapter in the history of Indiana Basketball. In an apparent power play, Indiana President Miles Brand fired Robert Montgomery Knight, and ended 29 years of teaching, character building, and motion offense at Indiana University.

As big time college basketball became more of a business in recent years, the program at Indiana University was one of the last places where the ideals of college sport were still followed. Bobby Knight did not look at his players as merely instruments to success, but rather as young men waiting to be shaped into the leaders of America's future. He graduated his players. A vast majority of the players who graduated from Knight's program became pillars of their communities. Even more importantly, Bobby Knight taught a brand of basketball

that was based on teamwork and coordination, rather than individual showboating. Further, Bobby Knight's program at Indiana was never a basketball factory like Duke and North Carolina. Mr. Knight took players who fit into his idealized vision of college basketball, and did not sacrifice discipline or teaching at the altar of winning.

As a result, in recent years the Indiana program did not recruit the top players and Bobby Knight's teams fell short against far more athletic opponents at tournament time. Bobby Knight and his vision of college basketball became expendable.

Bobby Knight probably choked Neal Reed, and had other moments where he exhibited abusive behavior. However, under the same level of scrutiny that Bobby Knight has received this year in Bloomington, it is unclear whether any Division I college coach anywhere can survive. When someone like Roy Williams or Tom

Izzo psychologically tortures a player to make him better, is their behavior really different in kind from what Bobby Knight did? I don't think so.

The truth is, Bobby Knight was fired on May 15th. He never received an explanation of what "zero tolerance" meant, and in the volatile world of college basketball, he never had a chance to survive under that policy. When one looks at the charges against him, they primarily related to instances where Knight refused to attend fundraisers. The higher ups at Indiana fired Knight because Knight's rebuffs injured their egos, rather than for anything that Knight did wrong. In cases where serious charges were levied against Knight, Bobby Knight did not receive any due process, and the charges were believed without question.

Clearly, Bobby Knight was unfairly fired. Here is hope that he will land on his feet elsewhere, so that his vision of college athletics can continue on.

THE INSIDER

Point by Yingtao Ho

Counterpoint by Hannah Mufson

BOBBY KNIGHT, THE BULLY

September 10, 2000 will forever go down as a great day in history. This was the day that Indiana University President Myles Brand fired basketball coach Robert "Bobby" Knight. As a graduate of Indiana University, I can safely say that "Coach" Knight has never influenced me, never taught me, and certainly never would have provoked me to riot.

Bobby Knight is a big bully. But, perhaps, I should call him "Coach" Knight or "Mr." Knight. Otherwise, he might come all the way out here and hit me. And then I'll get some death threats for somehow causing a conspiracy to fire him. Unfortunately for "Coach" Knight, a secret conspiracy had nothing to do with President Brand's decision to terminate him from Indiana. Coach Knight terminated himself.

Coach Knight certainly choked Neil Reed in March. He certainly mouthed off to a "high-ranking" female Indiana official. (Rumor has it that it was the Chief Counsel for the University. Way

to go, Coach. Yell at a lawyer.) He certainly told a reporter that women being raped should just "lie back and enjoy it." The only criticism that can be leveled at President Brand is that he didn't fire Knight sooner, say, when he was actually running around rampant.

Coach Knight also did not have to touch Kent Harvey, the allegedly disrespectful freshman. True, Harvey should have shown more respect, if for no other reason than not to do so might result in serious physical injury. There was no reason Knight could not have simply addressed Harvey without touching him. But Knight, displaying the out-of-control temper and split-second reactions he has made famous, grabbed Harvey to make his point more clearly. Zero tolerance is not a problem for people with any kind of anger management ability. Coach Knight is not one of those people.

Admittedly, Indiana's basketball program is not as good now as it has been in the past. This is more than likely because fewer and fewer young play-

ers want to play for a coach who has been known to dish out extreme amounts of both verbal and physical abuse. When Indiana stopped winning, Knight no longer held exalted status. Knight should have cleaned up his act years ago, but a winning record sustains the athletic department, and they were willing to put up with a few incidents of abuse if it led to more gross receipts. When he no longer led his team to the Final Four, or anywhere in its general vicinity, he became expendable. And I say, none too soon.

Coach Mr. Bobby Knight's termination was no conspiracy. It was the direct result of his own boorish, bullying behavior. More than 700 wins does not grant the right to abuse people, and hopefully, whatever deluded team hires him next will make their zero tolerance policy known a little sooner. Otherwise, they will also be forced to fire him, and then, you know, that might really be a conspiracy.

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An Unolympian Olympics

By Harry Mihas

Quickie Olympics quiz: 1) Name 3 players on the U.S. Men's Basketball Dream Team. 2) Who is America's best hope for gold in boxing? 3) Where did the U.S. men's gymnastics team finish in the team standings? 4) Why are we having the Summer Olympics in the middle of September? 5) What network is carrying the Olympics and how much of them have you watched?

Don't ask. I don't know the answers and that's the point. Once upon a time, life revolved around the Olympics. The nation as a whole would get behind their teams and their favorite up and coming stars. Now, it gets nothing more than a collective yawn as the Olympics battle it out in the ratings with Survivor reruns.

Why the apathy? I have my theories but before you go on, understand you do so at your own risk. It is not a matter of "if" I will offend, it's a matter of "when."

1). There are non-sports in the Olympics.

Ballroom dancing is not, I repeat, is NOT a sport. Anything that requires you to wear tuxedo is a necessary evil. Operas, weddings, and ballroom dancing are in that category but for some unknown reason, the powers that be consider ballroom dancing athletic competition. The other two are functions that you do to keep your significant other happy.

Speedwalking is not a sport. Anything that I do from my car to my first class cannot be considered athletic. But don't tell that to the Olympics.

If that's the case, put me on the podium because I can blow the sox off any of these walkers and do it with a backpack full of Kamisar's Con Law and Crim Pro books. That has to be over 20 pounds right there.

Shooting events, bowling, canoeing. None of these are sports.

Rule number 12 in the list of Mihas requirements for athletic competition: For it to be considered a sport, you must be able to blow your groin or hamstring out because of overexertion to classify the

activity in question a sport. These are pastimes. These are hobbies. Laverne and Shirley bowl, so you know it shouldn't be in the Olympics.

Rhythmic gymnastics and synchronized swimming are not sports. Gymnastics and swimming alone are sports. Twirling a ribbon around while you tumble is flat out dumb. You

could choke yourself on that ribbon. Synchronizing your movements with another swimmer

is a good way to get chlorine in your eyes and nose. Why not just add back shaving to the competitions?

2). There is no one left to hate.

Every good plot has a villain. Red riding hood had her big bad wolf. Luke Skywalker had Darth Vader. And the U.S. had the Soviet Union. I didn't know why they were evil personified. I just knew that we needed to beat those dirty, rotten, pinko, commie, steroid pumping Russians. Ivan Drago was juicing in Rocky IV.

Therefore, every Russian Olympian was also pumping themselves up with performance enhancing drugs.

Today there is no compelling villain to slay. You can only beat up on the Estonian basketball team so many times. And for that matter, it would be nice if we could beat the biathlon team from Liechtenstein at least once every fifty years. (What is the biathlon anyway? Add that to the list. Rule 15—any activity that is not immediately identifiable by its name is not a sport.)

The point is we don't care because we don't know whom to hate. And because we cannot hate, we are now apathetic. It's nice if the U.S. wins. But if the U.S. doesn't win, it's not as though we'll go nuclear on the country that beat us. If we really get bent out of shape over it, we just steal their athletes.

3). The results are already known.

The games are 15 hours ahead of us. Think about that. I'm writing this early Friday morning and our athletes are already well into Saturday night. By 9 a.m. I will not

only know what happened but why it happened. So why watch? I know the results. I know the story behind them. Why waste time watching Bob

Costas indulge his ego as he rehashes results that the rest of the world is well aware of.

Not that I care, since half of the results are from non-sports in which our athletes are competing against countries that are more likely to be pitied than hated. Bring back the good old days, when the Olympics served as the battleground for the Cold War.

Ballroom dancing is not, I repeat, is NOT a sport. Anything that requires you to wear tuxedo is a necessary evil.

I just knew that we needed to beat those dirty, rotten, pinko, commie, steroid pumping Russians.

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The Young and the Reckless

By Ryan Wu

Almost Famous

Written and Directed by Cameron Crowe

Starring: William Fugit, Billy Crudup, Kate Hudson, Frances McDormand, Jason Lee, and Phillip Seymour Hoffman

Following the mega-success of his last picture, writer-director Cameron Crowe tried to leverage his newfound power to get his pet project off the ground. Four years later, Crowe finally delivers his eagerly anticipated follow-up to Jerry Maguire. *Almost Famous*, a self-portrait of the artist as a fledgling young journalist, is clearly a labor of love for Crowe, but this sweet, well-observed nostalgia piece suffers from a strange irony: the movie is ultimately too personal to truly be great.

Taken largely from Crowe's years as a journalist for *Rolling Stone*, *Almost Famous* follows precocious fifteen-year old rock 'n' roll geek William Miller (Patrick Fugit) as he sets out to profile Stillwater, an Allman Brothers/Zepplin-styled rock band on the brink of stardom. Along the way, young William neglects his overprotective psych prof mom, learns to play peacemaker to bickering bandmates, and of course, falls in love. He finds himself caught in an awkward romantic triangle between Stillwater "guitarist with mystique" Russell Hammond (Billy Crudup) and his muse, the "band aid"-cum-groupie Penny Lane (Kate Hudson), and finally emerges from the rubble older and wiser, naturally.

At first, William appears to be a wide-eyed *Candide* figure, doomed to have his ideals shattered by the compromised reality of rock.

Thankfully, Crowe's too smart to turn his movie into yet another dark exposé of rock 'n' roll excess and hypocrisy. Instead, the movie strikes a pleasantly sentimental tone; Crowe celebrates the transformative power of rock even as it acknowledges its vagaries. In one memorable shot, backlit by an ethereal white glow, the camera slowly tracks back as members of the band strut through a long, windy arena tunnel, like gladiators ready to do battle (or like a lame-duck president preparing to deliver a convention speech). Modeled after classic *Rolling Stone* photos of The Who and Cream, this shot captures, in all its swagger and glory, the mythopoetic grandeur of rock idolatry.

But Crowe, veteran rock journalist, sets out to chronicle, not to mythologize, and *Almost Famous* contains a number of authentic, subtly shaped scenes that showcase

There will be hundreds of law firms on campus. How are you supposed to remember the name of ONE "fast-growing aggressive firm"?

Crowe's estimable screenwriting talent. In one hilarious scene, the band becomes outraged when the first Stillwater t-shirts are unveiled, which depicts everyone but Russell out of focus. Crowe doesn't linger on the easy visual joke that is the t-shirt; instead, we sense the band's brimming resentment of Russell through a series of reaction shots, culminating with lead singer Jeff Bebe (Jason Lee) finally announcing that "Russell, your looks are becoming a problem." And Phillip Seymour Hoffman delivers a jolt whenever he appears as the late, iconic rock critic Lester Bangs, dispensing invaluable advice for the teen journalist. "We're rock critics because we're uncool," Bangs tells a demoralized William. Funny, understated, and truthful – at its best, *Almost Famous* offers the kind of rewarding adult entertainment last seen on multiplex screens when Erin Brockovich played out.

Brilliant as the movie is in fits and starts, it's all the more disappointing

that it never really comes together. The trouble is that, in plundering his own memories for material, Crowe loses a sense of proportion, and the movie lapses into self-absorption. Crowe's mistake is to place all his marbles with William; ultimately, he's too bland and passive a character around whom to center a movie. Unlike, say, Dirk Diggler in *Boogie Nights*, William is positioned outside the chosen milieu – he observes the action through the looking glass without ever being placed in real spiritual danger. Moreover, William's one urgent matter – finishing his *Rolling Stone* "think piece" on Stillwater – becomes something of an afterthought, as William safely ignores the frenzied calls made by editors demanding written materials. Because there's no inherent drama in William's story, the last 30 minutes finds the sad sight of Crowe ratcheting up contrived tension (via a hackneyed airplane-confession scene) like a Hollywood hack.

But the biggest problem may be

that, by focusing so intently on an adolescent point-of-view, Crowe necessarily filters the other characters through hazy lens of teen hero-worship. Penny and Russell are not so much independent characters as they are sentimentalized types – the groupie with the heart-of-gold, troubled but ultimately gentle rock god – and that just isn't very interesting. Too bad. As well-wrought and charming as *Almost Famous* is, the movie ultimately can't overcome the its own structural limitations. At least now that Crowe's gotten his "personal" project out of his system, we can only hope he'll regain his form as one of the top mainstream creators in Hollywood.

Grade: B




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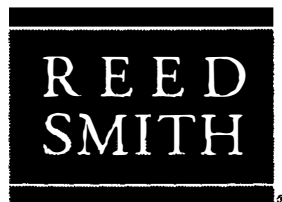
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FOR WHAT IT'S WORTH...

By Karl Nastrom

A few years ago, someone made a lot of money assuring us that *Everything I Need to Know I Learned in Kindergarten*. Perhaps, but that seems a lot to ask of a year spent hoping to remember the way home.

Then again, maybe I should be more generous. After all, I've come to appreciate that many of the legal concepts, seemingly new when introduced during the first year of law school, are actually quite familiar.

With thanks and apologies to Mom and Dad, here's a short list of basic lessons I learned long before I ever thought of paying Michigan Law School a lot of money to relearn them as fleshed out to fit the complicated legal ego. Because we're all so smart, I use the fancy legal names:

Constitutional Law

Judicial restraint – "Yes, I know your usual Friday bedtime is 11:00, but you shouldn't have complained when your friend's parents wanted you in bed by 10:30. When you're in their house, you follow their rules."

Judicial activism – "I don't care what your friend's parents say, you are not watching those kinds of movies when you go over there, and that's final!"

Stare decisis – "...because we've always done it that way in this family."

Limiting a case to its facts – "Each of our children is unique and special and precious, and it's our business if we think your little brother can stay out later than you could at that age."

Contracts

Consideration – "I'll give you a loan

if you promise not to spend it on beer and french fries."

Unconscionability – "You know that boy's not right in the head, and you had no business trading him one tattered, second-rate second baseman (a double, no less!) for all of last year's all-stars. You march over there this minute and return every one of these baseball cards. And, just to make sure you learn your lesson, let him keep the card you gave him. Otherwise, it's stealing!"

Secured transactions – "You told me you would mow the lawn first thing this morning if I let you eat with your friends last night, so you'd better get your butt out of bed or you just might not get your allowance in time to go to the movies tonight."

Criminal Law

Sentencing guidelines – "That's the third time today you've made your sister cry. Next time you so much as look at her funny, I'll have no choice but to spank you until my hand can't take it anymore."

Torts

(Note: I can't do this one because I don't remember much about strict liability and intentional torts, and, well.... Let's just say that, after fifteen years, my siblings have only mostly forgiven me.)

Civil Procedure

Pleading fraud with particularity – "Last night at dinner you told me you would be in front of the school at 4:00, so I showed up and waited for 33 minutes. I was worried sick – just sick! On the way to pick your sister up from piano – I was late because of you, you know – coming down First Street, I saw you at the ball field, just rounding third base,

so don't even think about lying. If I'd'a had time, I woulda stopped right there and put you over my knee. You're lucky I was running late. I know it was you because you were wearing that shirt I told you never to wear to school again and – you didn't wear that to school, did you? Ooooh, you rascal! Has anything I've tried to teach you gotten through? Am I a total failure? You know, if you keep acting like this, some day someone a lot bigger than you is gonna knock your block off, smarty pants. And when it happens, don't come crying to me, because if you don't shape up, I'm gonna make you take piano lessons again this year. Is it too much to ask, that you show your own mother the courtesy of telling the truth? Some day, you'll be in some important situation and people will need to be able to take you at your word and...you know, you wouldn't do this to your father, would you? What makes you think you can get away with it with me? Now I want you to sit there and think about all this. I'm very worried about you."

Mandatory joinder of parties – "You stay right there – don't move a muscle! – while I find those other hooligans. At least one of you is in big trouble..."

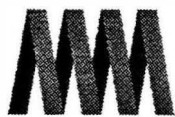
In rem jurisdiction – "Who do you think bought you all these things?"

Personal jurisdiction – "...because I said so, and I'm your mother."

Property

Reversionary interest – "Relax. No matter how big or important or successful you think you've become, she will always be your mother."





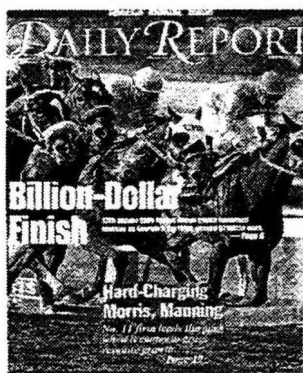
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